

Conveyance, Storage, and Water Project Operations

Summary: This report is a continuation of the June Council meeting discussion on changes to the Bay Delta Conservation Plan (BDCP) and implications to the Council's Delta Plan. For this report, staff has provided historical information to assist the Council about past efforts related to addressing conveyance, storage and water project operation issues and how these efforts have evolved or were unsuccessful. In addition, staff proposes a problem statement to focus the discussion. Lastly, in response to interest indicated from several Council members in developing a set of high-level principles related to conveyance, storage and water project operations, staff has invited various experts to offer insight on what types of elements could be included in such principles.

Background

Delta Reform Act provides:

The Delta Plan shall promote options for new and improved infrastructure relating to the water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals (Water Code section [85304](#)).

The Delta Reform Act anticipated that the BDCP, which addresses water conveyance across the Delta, would be completed successfully and included in the Delta Plan (Water Code section 85320) via a pathway distinct from the consistency certification process set out for other projects in the Delta (Water Code sections 85225-85225.25). The law specified how the BDCP was to be reviewed, including the roles of the Delta Stewardship Council (Council) and the Delta Independent Science Board (DISB), and the conditions under which the BDCP was to be incorporated into the Delta Plan.

To promote options for water conveyance infrastructure in the Delta, the 2013 Delta Plan recommended the prompt and successful completion of the BDCP. Appendix A of the Delta Plan describes the Council's role in the BDCP and provides, in part, that "should the BDCP process not be completed by January 1, 2016, the Council intends to revisit the issue of conveyance to determine how to facilitate improved conveyance facilities without the BDCP."

This April, the Administration announced a new preferred alternative to the BDCP. The new alternative would not complete the BDCP as a Natural Community Conservation Plan (NCCP), but instead proposes construction of water conveyance facilities through an initiative called California WaterFix. A parallel effort called California EcoRestore proposes to accelerate implementation of a suite of habitat restoration actions being planned in the Delta.

If the BDCP had been incorporated into the Delta Plan, it would have added significant detail to the Delta Plan's provisions about water conveyance, system operations, ecosystem restoration (including restoration performance measures), adaptive management, Delta governance, and finance. In light of the recent changes to the BDCP, and the absence of the BDCP as an NCCP, the Council may wish to consider updates to the Delta Plan to further address those topics. The Delta Reform Act gives the Council latitude to consider such updates, providing that the Council may revise the plan as it deems appropriate. The Council may also request any state agency with responsibilities in the Delta to make recommendations with respect to revisions to the Delta Plan (Water Code section 85300(c)).

At the June 25 meeting, the Council received information on the recent changes to the BDCP. These changes include shifting to a new preferred alternative: California WaterFix and a parallel ecosystem restoration effort: California EcoRestore. The discussion centered on how these changes alter BDCP's relationship to the Delta Plan and how the Council's role may change including the likelihood that CA WaterFix and EcoRestore will need to be consistent with Delta Plan certification provisions of Water Code sections 85225-85225.25 and the Council's regulations. During this discussion several Council members indicated they would be supportive of updating the Delta Plan to provide additional guidance – in the form of either recommendations or regulatory policies – about conveyance, storage, and the operation of both. This guidance could be formulated in two steps: first, in the form of high-level principles to provide a prompt response to the decision to not complete the BDCP; and second, with subsequent consideration for how those principles should be reflected in a potential update of the Delta Plan.

Chronology of Key Events Related to Delta Conveyance, Operations and Storage

To assist the Council in their continued discussion of conveyance, storage and water project operations and possible updates to the Delta Plan, staff has compiled key historical information related to these topics (Attachment A). This historical information is organized by topic area and includes past milestones and efforts, past Council actions, and recent activities regarding conveyance and storage (since May 2013). In some instances, there have been significant developments and changes since the adoption of the Delta Plan. John Kirilin, former executive director of Governor Schwarzenegger's Delta Vision Blue Ribbon Task Force, will present this information to the Council and offer his insight on the various alternatives that have been proposed and how these past events have shaped current ones.

Today's Briefing

The purpose of today's briefing is to continue the discussion of changes to the BDCP and how this may result in updates to the Delta Plan. Staff has provided historical information to assist the Council in understanding past efforts related to addressing conveyance, storage, and operational issues and how these efforts have failed or evolved. In addition, in keeping with the approach in the current Delta Plan, staff has drafted a problem statement summarizing issues related to the current state of conveyance, storage and water project operations in the Delta and how the demands

placed on these systems result in a lack of flexibility to adjust overall operations to changing conditions.

Problem Statement

In the Delta Plan, each chapter's discussion of key strategies begins with a problem statement. Staff proposes the problem statement below to frame the Council's discussion of conveyance, storage, and their operation.

The state's interconnected network of surface and groundwater storage is insufficient in volume, conveyance capacity, and operational flexibility to meet the coequal goals. Increasingly the system is tasked to satisfy demands from people and wildlife that it was not originally designed to address. At times of water surplus, the State's surface storage is insufficient to reliably capture and convey water to meet Californians needs while also providing more natural, functional environmental flows into and through the Delta to help restore the Delta ecosystem. During dry years, conflicts between the needs of fish and people increase. The current method of conveying water through the Delta and exporting it to water users contributes, together with other stressors, to the continued decline of the Delta ecosystem.

In addition, risks to the Delta's levees from floods and earthquakes impair the reliability of water conveyance through the Delta. Reduced surface water deliveries due to constrained surface storage both above and below the Delta and to limits on water conveyance through the Delta are increasing reliance on groundwater and depleting aquifers. Subsidence caused by this overdraft, especially in the San Joaquin Valley, degrades underground storage capacity and damages conveyance facilities. Too often, surface supplies and groundwater are not operated conjunctively.

Because of these factors, reducing reliance on the Delta to meet future water supplies is difficult. In addition, current conveyance and storage infrastructure and operating rules lack the flexibility to both quickly respond to current needs and substantially address long-term effects. Lack of a clear adaptive management approach impedes decision-making. Climate change threatens to compound many of these problems. As decisions about storage and conveyance are deferred and investments delayed, the crisis in the Delta watershed and California's water infrastructure that the Delta Reform Act identifies grows more acute.

Panelists

Lastly, in response to Council member interest in developing high-level principles for conveyance, storage and water project operations, staff has invited various experts to offer insight on what the Council may wish to include in such principles. Together, the draft problem statement offered in this report and a set of principles developed by the Council could serve as the framework for a future Delta Plan update.

Today's panel members* include:

- **John Kirlin**, a board member of the Delta Vision Foundation and former executive director of the Delta Vision Task Force, will provide a historical perspective on the State's attempts to solve some of the problems with conveyance as well as re-operation and storage.
- **Sam Luoma**, A board member of Save the Bay and former CALFED Lead Scientist, will provide information on increased scientific understanding of the system as the context in which decision making is taking place.
- **Karla Nemeth**, Deputy Secretary for Water Policy at the California Natural Resources Agency, will provide the Administration's view of how the Delta Plan can best address the issues of conveyance, storage, and operations.
- **Jeffery Mount**, Senior Fellow at the Public Policy Institute's California Water Policy Center and founding director of the Center for Watershed Sciences at University of California at Davis, will provide insights on how the guiding principles could address the problem statement from the science perspective.
- **Gary Bobker**, Program director for the Rivers and Delta Program at the Bay Institute, will provide insights on how the guiding principles could address the problem statement from the perspective of an environmental stakeholder.
- **Maurice Hall**, Science Lead for The Nature Conservancy's California Water Program, will provide insights on how the guiding principles could address the problem statement from the perspective of an environmental stakeholder.
- **Tim Quinn**, Executive Director of the Association of California Water Agencies, will provide insights on how the guiding principles could address the problem statement from the water agencies' perspective.
- **Marguerite Patil (Invited)**, Special Assistant to the General Manager at Contra Costa Water District, will provide insights on how the guiding principles could address the problem statement from an in-Delta water agencies, perspective.
- **Todd Manley (Invited)**, Director of Government Relations for Northern California Water Association, will provide insights on how the guiding principles could address the problem statement from an area-of-origin perspective.

*Some panelists may be added or replaced in advance of the July Council Meeting as schedules dictate

Questions to Contemplate

During today's presentation, the Council may wish to consider the following questions:

- What types of outcomes are desired from improvements to conveyance, storage, and operations?
- What types of outcomes should be avoided?
- What principles should the Council adopt related to conveyance, storage, operations in support of the coequal goals?

List of Attachments

Attachment 1: Chronologic Events – Conveyance, Storage, and Water Project Operations

Attachment 2: Conveyance, Storage and Operations Principles from the Delta Plan

Contact

Anthony Navasero
Senior Engineer

Phone: (916) 445-5471